

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

_____ Co-Petitioner
and

Case No: _____

_____ Co-Petitioner
and

**CO-PETITION FOR
DISSOLUTION OF
 MARRIAGE REGISTERED
DOMESTIC PARTNERSHIP**
Filing fees at ORS 21.155 (Marriage)
& ORS 21.135(RDP)

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

Claim is not subject to mandatory
arbitration

Date of marriage/domestic partnership: _____.

Place of marriage/domestic partnership: _____.
(County, State, or Foreign Country)

1. Irreconcilable differences between the parties have caused the irremediable breakdown of their marriage/domestic partnership.

2. Residency:

A. Marriage Only: At least one spouse currently lives in Oregon **and** that same spouse has lived in Oregon continuously for 6 months prior to filing this *Petition*. At least one spouse currently lives in the county where this *Petition* is being filed.

Domestic Partnership Only: At least one partner currently lives in Oregon **and** that same partner has lived in Oregon continuously for 6 months prior to filing this *Petition*. At least one partner currently lives in the county where this *Petition* is being filed.

or
 Neither partner currently lives in Oregon and this *Petition* is being filed in the county where one of the Co-Petitioners last lived.

3. Joint Children- Children of Co-Petitioners conceived, born, or adopted during or prior to the marriage, or otherwise legally recognized as children of both parties (under age 21):

Name	Age

Additional children listed on page attached titled "Section 3 – Additional Children"

Name and age of any child conceived or born during this marriage/RDP who is NOT the child of both parties _____

_____.

Neither party is now pregnant.

Co-Petitioner, (*write name*) _____, is pregnant. Co-Petitioner (*write name*) _____ is is not the parent of this child. The expected date of the child's birth is _____.

4. No other court case involving this marriage or partnership (including a dissolution, annulment, or separation), or a protection order, or no-contact order is pending:

None pending anywhere.

Yes: *name type of case(s), what county/state, and case #* _____

5. By filing this co-petition, we acknowledge that we are bound by the terms of the statutory restraining order prohibiting either party from disposing of marital assets. We understand that this restraining order is effective immediately upon filing of this co-petition.

CHILDREN

6. UCCJEA (Uniform Child Custody Jurisdiction and Enforcement Act) Information.

6A. List the places (**county and state, not address**) where any of the children in Section 3 has lived in **the last five years**, the names of the people they lived with at that time, and **current** contact addresses for the parent or caretaker.

Dates From/To	County, State	Name of Parent/Caretaker	Current Contact Address of Parent/Caretaker	Which Children

Additional page attached; see section titled "Section 6A-UCCJEA"

6B. The children listed in Section 3 have continuously lived in Oregon for the six months before the filing of this *Petition*, except for the children named below
 The following children have **not** lived in Oregon continuously for six months:
(names) _____
 There is another legal basis for Oregon to address custody of these children. *Explain:* _____

6C. We have not participated in any legal case about the custody or parenting time of the children in Section 3 in any state **or**

We have participated in the following litigation:

Name of Court	State	Case No.	Date of final decision	Result (who was granted custody)

Additional page attached; see section titled "Section 6C-UCCJEA"

6D. We do not know of any other proceeding that may affect the outcome of this case, including enforcement of domestic violence or protective orders, adoption, or termination of parental rights involving any of the children pending in any state

except for: _____
(identify affected children, court, case number, and the kind of proceeding)

6E. We do not know any person besides the co-petitioner who has physical custody of the children or who claims to have custody, visitation, or parenting time rights

except for *(list name and address and affected children):* _____

7. Custody and Parenting Time

Custody of the children should be awarded as follows:

Co-Petitioners should have **joint** custody of the following children *(list names):* _____

Co-Petitioner _____ should be awarded **sole** custody of the following children *(list names):* _____

Co-Petitioner _____ should be awarded **sole** custody of the following children *(list names):* _____

Parenting Time (Visitation)

Parenting time should be awarded as set forth in the attached **Parenting Plan**, labeled Exhibit _____ **or** as follows _____

Parenting time should be supervised by _____.
 Any cost of supervision should be paid by Co-Petitioner _____.

Co-Petitioner _____ should not be granted parenting time because this would endanger the health or safety of the children. **State supporting facts:** _____

Relocation

Co-Petitioner _____ should be allowed to move more than 60 miles further distant from the other co-petitioner without advance written notice because good cause exists (explain): _____

Contact Information

Co-Petitioner _____ should **not** be required to provide contact information to the other co-petitioner or to contact the other co-petitioner in case of emergency circumstances or substantial change in the health of the children (explain): _____

Parental Authority under ORS 107.154

Co-Petitioner _____ should **not** have authority under ORS 107.154 (explain): _____

8. Support

A. Child Support

<input type="checkbox"/> There IS an existing child support order in the monthly amount of \$ _____ from _____ county, state of _____ The court case # is _____ and the Child Support Program (CSP)# is _____ <input type="checkbox"/> Co-Petitioners agree not to change this amount (skip to section 8D, below) <input type="checkbox"/> Co-Petitioners agree to change this amount because circumstances have changed significantly since the order was issued. Explain the change _____ _____ (Fill in the section below (8.A.2) with the new amount you are requesting)

(or)

<input type="checkbox"/> There IS NOT an existing child support order from any other court or agency <input type="checkbox"/> I am not requesting child support because _____ _____ (skip to section 8D, below) <input type="checkbox"/> I am requesting child support (fill in the sections (8.A.2) below)
--

1. Support (including Cash Medical Support, see instructions) is presumed to be unavailable because the parent who would pay (check all that apply):

- receives cash payments from a **public assistance** program including TANF or SSI.
- is (or is expected to be) **incarcerated** (in jail or prison for at least 6 months).

Support should be ordered despite the presumption (*explain why and complete section 2, below*): _____

2. Support should be ordered payable:

by Co-Petitioner _____
to Co-Petitioner _____ Adult Child: _____
on the first *or* _____ day of each month
beginning _____ (*date*) *or* the month following entry of judgment in this case.
in the amount of \$ _____, which is (*check one*)
 the amount presumed correct as reflected on the child support guideline worksheets attached to this petition. (**or**)
 different from the amount presumed correct by the child support guidelines because the guideline amount would be unjust or inappropriate (*explain*): _____

B. Medical Support

Medical support has already been ordered in another case as noted in Section 8.A. above
 The existing order should not be changed. (*skip to Section C below*)
 The existing order should be changed (*fill out the sections below*). The parties have also requested a change of child support above.

If medical support has not been ordered in another case, complete sections below

1. Private Health Insurance:

is appropriate and available to (*check one*)
 Both Co-Petitioner have agreed to provide coverage. **OR**
 Co-Petitioner _____ should be ordered to keep insurance throughout the period of the child support obligation

is not appropriate or available to either parent
The parent awarded custody should enroll the children in public health insurance until private health insurance becomes available. The first parent with access to appropriate private health insurance for the children should be ordered to provide it.

Cash Medical Support

(If no private health insurance is available to either parent, then the parent who is ordered to pay child support will also be ordered to pay cash medical support according to the Child Support Guidelines unless the court finds reason not to.)

Cash Medical Support should **not** be ordered because:

Support is presumed to be unavailable for the reason marked in Section 8(A)(1), above (*Note: if you asked that support be awarded anyway, do not mark this box*).

the parent paying child support has income at or below Oregon's minimum wage for full-time employment, so cash medical support should not be ordered.

The children's medical needs will be met by the *Uninsured Medical Expenses* provision below.

Other (*explain*): _____

2. **Uninsured Medical Expenses**

Uninsured medical expenses should not be awarded.

or

Co-Petitioner _____ should pay _____% and the other Co-Petitioner should pay _____% of the unreimbursed costs of the children's reasonable medical, dental, and vision care. This does not include ordinary expenses like nonprescription medication, bandages, vitamins, and copays for regular checkups, which the parents are presumed to provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.

or

This obligation should be **in addition** to any child support and cash medical support ordered above

C. **Payment**

How should payments be made?

We understand that payments will be made by income withholding unless an exception applies

We request an exception to the income withholding requirement of ORS 25.378 so that payment can be made another way because good cause exists:

Co-Petitioners have agreed in writing to the following alternative payment method (*explain*): _____

Other exception under ORS 25.396 (*explain*): _____

Where should payments go?

All support payments should be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309

or

An exception to income withholding applies as noted above. All support payments should be made to the recipient's checking or savings account. The receiving parent should be ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

or

Other (*explain*): _____
(*only available if you request an exception to income withholding, above*)

Adult Child Attending School

Support for an adult child attending school as defined by ORS 107.108 should be paid by the Division of Child Support (DCS) directly to the child unless good cause exists for payment to be made another way:

GOOD CAUSE exists for DCS not to pay support directly to a child attending school (*explain*): _____

D. Length of child support

Support should end when the last child (*check one*):

reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age **21**,

reaches age **18**,

Or becomes self-supporting, emancipated, or married.

E. Tax Dependents

(Note that the judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year. Speak to a lawyer or tax professional.)

Co-Petitioner _____ should be permitted to claim the following children as dependents for tax purposes beginning with the tax year this judgment is entered. The other parent must complete any IRS waivers or forms necessary to accomplish this order in each tax year and must not file contradictory tax returns. *List names:* _____

OR

Other (*specify*): _____

F. Life Insurance Coverage for Children

The party paying support should carry life insurance for the benefit of the parties' children throughout the period of the support obligation. The coverage should be in the amount of \$ _____

9. Additional Provisions _____

Additional page attached titled "Section 9 - Additional Provisions"

SPOUSAL/PARTNER SUPPORT

10. Spousal/Partner Support and Life Insurance.

A. Support

No spousal/partner support is requested **or**

Spousal/partner support should be paid by Co-Petitioner _____ to the other Co-Petitioner

Type of support and	Monthly	Based on the following factors (<i>explain</i>):
---------------------	---------	--

amount requested (<i>check all that apply</i>):	or Total	
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

B. Payments

Payments should be made:

on the first or _____ day of each month
beginning _____ (date) or the month following entry of this judgment

or

in a lump sum by _____ (date).

Payments should end upon the death of either party or: _____
_____, whichever is sooner.

Choose ONE option:

All support payments should be made directly into recipient’s checking or savings account. The spouse or partner receiving support must provide the paying spouse or partner with either current deposit slips or their bank name, account name, and account number.

To the Department of Justice, Child Support Accounting Unit, PO Box 14506, Salem, OR, 97309. The Department of Justice should provide all collection, accounting, disbursement, and enforcement services.

C. Life Insurance

The party paying support should carry life insurance for the benefit of the other party throughout the period of the support obligation. The coverage should be in the amount of \$ _____

PROPERTY AND DEBTS

11. Real Property. (*for example, land, houses, condominiums*)

Neither party has any interest in any real property in Oregon or any other place.
 Both parties have or Co-Petitioner _____ has an interest in real property at: (address) _____
 Additional page attached titled “Section 11 - Real Property”

The legal description of the real property is attached as Exhibit ____ and incorporated in this petition.

This property should be distributed as follows: _____

12. Personal Property (including motor vehicles).

Co-Petitioners have divided between them all personal effects, household goods, and other personal property they own separately or together, and neither should claim those items now in possession of the other.

Co-Petitioner, (*write name*) _____ should be awarded the following personal property: _____

Additional page labeled "Paragraph 12 - (*write name*) _____'s Personal Property Distribution continued" attached.

Each Co-Petitioner should be awarded his/her retirement benefits, pension plan, profit-sharing plan, deferred-compensation plan, and /or stock option plan held by his/her employer, free of any interest of his/her spouse/domestic partner.

Co-Petitioner, (*write name*) _____ should be awarded the following personal property: _____

Additional page labeled "Paragraph 12 - (*write name*) _____'s Personal Property Distribution continued" attached.

13. Distribution of Debts.

There are no outstanding debts of this marriage/domestic partnership.

The debts should be paid as follows:

Name of Creditor (who debt is owed to)	What debt is for	Amount	Who should pay (write names)

Additional page attached, labeled, "Section 13 Distribution of Debts continued."

Each spouse/domestic partner should be responsible for the payment of all debts incurred by him/her individually since the date of their separation; all debts which are distributed to him/her by the court; and all debts which are secured by property distributed to that spouse/domestic partner. Also, if any creditor asks the spouse/domestic partner not responsible for a debt to pay all or a portion of it, and s/he does so, the spouse/domestic partner responsible for that debt should reimburse the other spouse/domestic partner for any monies s/he paid to the creditor after the date of the judgment.

Debts should be divided as of (*date*): _____

Transfer of Debts and Property. Each party should be ordered to complete all property transfers required by the judgment within 30 days of the date of judgment. Each should execute,

acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. The judgment should operate to convey title if the either party fails to comply with this requirement.

14. Former Name. Co-Petitioner _____ former name of _____ should be restored.
(write the FULL name – first, middle, and last)

15. Information required by ORS 107.085

	<u>Co-Petitioner</u>	<u>Co-Petitioner</u>
<u>Full Name:</u>		
<u>Age:</u>		
<u>Address or Contact Address:</u>		

A *Confidential Information Form* (CIF) has been completed and filed with the court clerk containing all information required by ORS 107.085 that is identified as confidential by UTCR 2.130 for each Co-Petitioner and each adult child.

16. Court Costs and Fees for this case (whether paid or deferred)

- Each party should be responsible for paying his or her own costs and fees
- Costs and fees should be paid by both parties equally
- Other: _____

We request a Judgment granting the relief asked for above, and other equitable relief that the court finds just.

Existing/Pending Child Support

(a) Has any other child support order been issued by a court or agency in any state regarding any of the children in Section 3? No Yes -- case number, court/agency name, state, and type of case: _____

(b) Is any other case involving child support been started and remain pending in any state? No (or) Yes -case number, court/agency name, state, and type of case: _____

We hereby declare that the above statements are true and complete to the best of my knowledge and belief. We understand they are made for use in court and we am subject to penalty for perjury.

Date

Co-Petitioner (signature)

Print Name

Contact Address

City, State, Zip

Contact Phone

Date

Co-Petitioner (signature)

Print Name

Contact Address

City, State, Zip

Contact Phone

I certify that this is a true copy.

Co-Petitioner (signature)
(Sign here on copies only, not originals)

**NOTICE OF STATUTORY RESTRAINING ORDER
PREVENTING THE DISSIPATION OF ASSETS
IN DOMESTIC RELATIONS ACTIONS**

**REVIEW THIS NOTICE CAREFULLY. BOTH PARTIES MUST OBEY EACH PROVISION OF
THIS ORDER TO AVOID VIOLATING THE LAW.
YOU HAVE THE RIGHT TO A HEARING. SEE INFORMATION BELOW.**

TO THE CO-PETITIONER:

Under ORS 107.093 and UTCR 8.080, Co-Petitioners must not:

Insurance Policies

(1) Cancel, modify, terminate, or allow to lapse for nonpayment of premiums, any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy that names either of the parties or a minor child of the parties as a beneficiary.

Insurance Beneficiaries

(2) Change beneficiaries or covered parties under any policy of health insurance, homeowner or renter insurance, or automobile insurance that one party maintains to provide coverage for the other party or a minor child of the parties, or any life insurance policy.

Property

(3) Transfer, encumber (*i.e., mortgage, lien, borrow against*), conceal, or dispose of property in which the other party has an interest, in any manner, without written consent of the other party or an order of the court, except in the usual course of business or for necessities of life.

Expenses

(4) Make extraordinary expenditures without providing written notice and an accounting of the extraordinary expenditures to the other party.

EXCEPTIONS:

Paragraphs (3) and (4) do not apply to payment by either party of:

- a. Attorney fees in this action
- b. Real estate and income taxes
- c. Mental health therapy expenses for either party or a minor child of the parties
- d. Expenses necessary to provide for the safety and welfare of a party or a minor child of the parties

EFFECTIVE DATE:

The above provisions are in effect immediately upon service of the *Petition* and *Summons* on the respondent. They remain in effect until a final judgment is issued, until the petition is dismissed, or until further order of the court.

RIGHT TO REQUEST A HEARING

Either Co-Petitioner may request a hearing to modify or terminate one or more terms of this restraining order by filing with the court the *Request for Hearing re: Statutory Restraining Order* form specified in Form 8.080.3 in the UTCR Appendix of Forms.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

and Co-Petitioner

**Family Law Confidential
Information Form (CIF)**

Amended

Co-Petitioner

This document is not accessible to the
Public or other parties. Exceptions may
apply. See UTCR 2.130

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

ATTENTION COURT STAFF: THIS IS A RESTRICTED-ACCESS DOCUMENT.

The information below is about a Co-Petitioner Adult child 18 to 21 years old

Name (Last, First, Middle): _____

The names of the parties and the children, as well as the children's ages, are NOT confidential.

Former Legal Name(s) (if applicable):
Date of Birth:
Social Security Number:
Driver License (Number and State):
Employer's Name, Address, and Telephone Number:

Joint Children's Names (Last, First, Middle)	Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

COMPLETED AND SUBMITTED BY:

Date: _____ Signature: _____

Type or Print Name: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

and Co-Petitioner

**Family Law Confidential
Information Form (CIF)**

Amended

Co-Petitioner

This document is not accessible to the
Public or other parties. Exceptions may
apply. See UTCR 2.130

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

ATTENTION COURT STAFF: THIS IS A RESTRICTED-ACCESS DOCUMENT.

The information below is about a Co-Petitioner Adult child 18 to 21 years old

Name (Last, First, Middle): _____

The names of the parties and the children, as well as the children's ages, are NOT confidential.

Former Legal Name(s) (if applicable):
Date of Birth:
Social Security Number:
Driver License (Number and State):
Employer's Name, Address, and Telephone Number:

Joint Children's Names (Last, First, Middle)	Date of Birth	Social Security Number

Please attach an additional sheet if there are more than five children involved in the proceeding.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

COMPLETED AND SUBMITTED BY:

Date: _____ Signature: _____

Type or Print Name: _____

NOTE TO COURT STAFF: Unless ordered or authorized under UTCR 2.130, this Confidential Information Form is not available to the opposing party or his/her attorney, or to the public; except for the state.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

and Co-Petitioner

Notice of Filing of
 Confidential Information Form
 Amended

Co-Petitioner

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (full names)

NOTICE: Confidential Information Form Has Been Filed

- Uniform Trial Court Rule (UTCR) 2.130 requires that parties to domestic relations cases place certain information about themselves and other parties in a CIF when such information is required in a document filed with the court.
- The CIF is not available for public inspection except as authorized by law.
- Parties are allowed to see a CIF that contains information about them.
- A party who wants to see a CIF that contains information about another party must ask for permission from the court or the other party by following the procedures set out in UTCR 2.130.

I filed Confidential Information Forms with the court about the following parties to this case (complete a section for each party for whom you have filled out a CIF):

- 1) Name (Last, First, Middle): _____
 Co-Petitioner Adult Child Other: _____
Confidential Personal Information contained in CIF (check all that apply):
 party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).
- 2) Name (Last, First, Middle): _____
 Co-Petitioner Adult Child Other: _____
Confidential Personal Information contained in CIF (check all that apply):
 party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).
- 3) Name (Last, First, Middle): _____
 Co-Petitioner Adult Child Other: _____
Confidential Personal Information contained in CIF (check all that apply):

party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).

4) Name (Last, First, Middle): _____

Co-Petitioner Adult Child Other: _____

Confidential Personal Information contained in CIF (check all that apply):

party's social security number, party's date of birth, children's social security number,
 children's date of birth, employer's name, address, and telephone number, driver license number,
 former legal name(s).

Dated this _____ day of _____, 20____

Signature

Print Name

Contact Address

City, State, Zip

Contact Telephone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

Case No: _____

Co-Petitioner

and

**CERTIFICATE OF DELIVERY TO
THE DIVISION OF CHILD SUPPORT**

Co-Petitioner

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

I certify that a true copy of the Petition or Motion filed in this case has been sent by court staff to the Department of Justice by court email.

DATE _____.

Submitted by:

Signature

Print Name

Address or Contact Address

City, State, Zip Code

Telephone or Contact Telephone

**RECORD OF DISSOLUTION
 OF MARRIAGE, ANNULMENT OR
 REGISTERED DOMESTIC PARTNERSHIP**

136-

State file number:

The petitioner or legal representative of the petitioner is responsible for completing the personal information on this form and shall present this form to the clerk of the court with the petition. In all cases the completed record shall be a prerequisite to the granting of the final judgment.

Case number: _____			
Judgment type: <input type="checkbox"/> Dissolution of marriage <input type="checkbox"/> Annulment <input type="checkbox"/> Dissolution of registered domestic partnership(RDP)			
Spouse / Partner A	1. Spouse/Partner A – Legal name: (first, middle, last, suffix) _____		
	2. Last name at birth: (not required for RDP) _____		
	3. Residence or legal address: (street and number) (city or town) (county) (state)		
	4. Other legal last names used: _____		
5. Date of birth: (mm/dd/yyyy) _____	6. Birthplace: (state, territory or foreign country) _____		
Spouse / Partner B	7. Spouse/Partner B – Legal name: (first, middle, last, suffix) _____		
	8. Last name at birth: (not required for RDP) _____		
	9. Residence or legal address: (street and number) (city or town) (county) (state)		
	10. Other legal last names used: _____		
11. Date of birth: (mm/dd/yyyy) _____	12. Birthplace: (state, territory or foreign country) _____		
Marriage / Declaration	13. Date of marriage / filing of RDP declaration: (mm/dd/yyyy) _____		
	14. Date couple last resided in same household: (mm/dd/yyyy) _____		
	15a. Place of marriage/RDP: (city, town or location) _____	15b. County: _____	15c. State or foreign country: _____
	16. Number of children under 18 in this household as of the date in item 14: Number _____ None _____	17. Petitioner: <input type="checkbox"/> Spouse/Partner A <input type="checkbox"/> Spouse/Partner B <input type="checkbox"/> Both	
Attorney	18a. Name of petitioner's attorney: (print) _____	18b. Address: (street and number or rural route number, city or town, state, ZIP code) _____	
	19a. Name of respondent's attorney: (print) _____	19b. Address: (street and number or rural route number, city or town, state, ZIP code) _____	
Judgment	20. Marriage/RDP declaration of the above named persons was dissolved on: (mm/dd/yyyy) _____	21. Date judgment becomes effective: (mm/dd/yyyy) _____	
	22. Number of children under 18 whose physical custody was awarded to: ___ Spouse/Partner A ___ Spouse/Partner B ___ Joint (shared custody) ___ Other (specify) _____ <input type="checkbox"/> No children		
	23. County of decree: _____	24. Title of court: <div style="text-align: center; font-weight: bold;">Circuit</div>	
	25. Signature of court official: _____	26. Title of court official: _____	27. Date signed: (mm/dd/yyyy) _____

Information below will not appear on the certified copies of the record.

28. Spouse A's Social Security number: (not required for RDP) _____				29. Spouse B's Social Security number: (not required for RDP) _____					
30. Number of this marriage/RDP – first, second, etc.:		31. If previously married or in a RDP date last marriage/RDP ended:		32. Hispanic origin: Cuban, Mexican, Puerto Rican		33. Race(s): Black, White, etc.		34. Education – Specify only highest grade completed:	
By death, divorce, dissolution or annulment (specify below)		Date: (mm/dd/yyyy)		List all that apply (specify below)		List all that apply (specify below)		Elementary/Secondary: (grades 0-12) College: (1-4 or 5+)	
30a. Marriage	30b. RDP	31a.	31b.	32a.	32b.	33a.	33b.	34a.	34b.
30c.	30d.	31c.	31d.	32b.		33b.		34c.	34d.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

_____ Co-Petitioner
and

Case No: _____

_____ Co-Petitioner

**DECLARATION
SUPPORTING GENERAL
JUDGMENT OF DISSOLUTION
OF MARRIAGE RDP**

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

The statements made in the Petition remain true and accurate *except*:

Section Number	Explain

Additional page attached

Minor Children

Children of the Co-Petitioners (under age 18) conceived, born, or adopted during or prior to the marriage/RDP and any children otherwise legally recognized as children of both parties:

Name of Child	Age	Currently lives with (Name, Address or Contact Address)	For how long

Additional children listed on page attached titled "Additional Children"

Co-Petitioner _____ is pregnant, the other party is is not the parent of this child. The expected date of the child's birth is _____

Child support has been requested. We have attached to the proposed judgment a *Child*

Support Worksheet to the proposed judgment. The information included in that worksheet is true and accurate to the best of our knowledge.

The parent who should pay child support (“payor”) does **not** live in Oregon **but** (*check all that apply*)

- Lived in Oregon with at least one of the children.
- Lived in Oregon and paid for prenatal or other costs for at least one of the children.
- At least one child lives in Oregon as a result of an act or instruction by the payor.
- At least one child may have been conceived in Oregon.
- Claimed parenthood on a Voluntary Acknowledgment of Paternity.
- Both parties lived in Oregon for at least 6 months and the non-resident party moved out of Oregon less than one year before we filed this case.
- There is another basis for jurisdiction (*explain*): _____

We ask the court to enter judgment without a hearing under ORS 107.095(4) *because* both parties have stipulated (agreed) to the terms of the *Judgment*.

We hereby declare that the above statements are true and complete to the best of our knowledge and belief. We understand they are made for use as evidence in court and we are subject to penalty for perjury.

Submitted by Co-Petitioners:

Date

Signature

Name (printed)

Contact Address

City, State, Zip

Contact Phone

Date

Signature

Name (printed)

Contact Address

City, State, Zip

Contact Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage or Registered Domestic Partnership (RDP) of:

_____ Co-Petitioner

and

_____ Co-Petitioner

and

Unmarried children 18, 19, or 20 years old
(per ORS 107.108) (*full names*)

Case No: _____

**GENERAL JUDGMENT OF
DISSOLUTION OF**

MARRIAGE

REGISTERED DOMESTIC
PARTNERSHIP

and MONEY AWARD

This document was presented to the court: On the stipulation of the parties, as shown by the signatures at the end of this *Judgment*.

Children 18, 19, or 20 Years of Age

- Waived further appearance in these proceedings: (*names*) _____
 Signed and stipulated to the terms of this judgment as shown by the signatures below.

FINDINGS:

1. The court considered the Declaration and Stipulations presented and finds that: (*Check all that apply*)
- A. Irreconcilable differences have caused the irremediable breakdown of this marriage or registered domestic partnership
- B. At the time the *Petition* was filed:

Marriage Only: At least one spouse lived in Oregon and that same spouse had lived in Oregon continuously for 6 months prior to the filing of the *Petition*. At least one spouse lived in the county in which the *Petition* was filed.

Registered Domestic Partnership Only:

At least one partner lived in Oregon and that same partner had lived in Oregon continuously for 6 months prior to the filing of the *Petition*. At least one partner lived in the county in which the *Petition* was filed at the time of filing.

or

Neither partner lived in Oregon and the *Petition* was filed in the county where
{ Co-Petitioner _____ } last resided.

2. Party and Marriage/RDP Information:

Date of Marriage /RDP: _____

Place of Marriage/RDP: _____
(County, and State, or foreign country)

	<u>Co-Petitioner</u>	<u>Co-Petitioner</u>
<u>Full Name:</u>		
<u>Age:</u>		
<u>Address or Contact Address:</u>		

3. Children of the Parties (Children conceived, born, or adopted during or prior to the marriage/RDP and any children otherwise legally recognized as children of both parties.)

Name	Year of Birth	Age

Additional page attached titled "Findings 3 – Children of the parties"

Co-Petitioner _____ is not the father of, or paternity has not been established for, the children: (names) _____

Neither party is now pregnant (or)

Co-Petitioner _____ is now pregnant. The other party is is not the parent of the child due (date) _____

4. Child Custody Jurisdiction

Oregon has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) to decide custody and parenting time matters because:

Oregon is the children's home state (all of the minor children have lived here continuously for the six month period immediately before this case was filed).

Other: _____

Oregon does not have jurisdiction under the UCCJEA because: _____

The court grants judgment as follows:

The marriage or RDP is legally dissolved as of the date this Judgment is signed. The terms of this judgment are effective upon entry in the court register.

CHILDREN

NOTICE ABOUT PARENTING TIME AND CHILD SUPPORT

The terms of child support and parenting time (visitation) are designed for the child's benefit and not the parents' benefit. You must pay support even if you are not receiving parenting time. You must comply with parenting time and visitation orders even if you are not receiving child support.

Violation of child support orders and visitation or parenting time orders may result in fines, imprisonment, or other penalties.

Help may be available to establish, enforce, and modify child support orders. Paternity establishment services are also available. Contact your local district attorney, the domestic relations court clerk, or the Department of Justice at 1.800.850.0228 or 503.378.5567 for information.

Help may be available to establish, enforce, and modify parenting time or visitation orders. Forms are available to enforce parenting time or visitation orders. Contact your local court for information.

1. Custody and Parenting Time

Custody of the children is awarded as follows:

Co-Petitioners have **joint** custody of the following children: _____

Co-Petitioner _____ is awarded **sole** custody of the following children (*names*): _____

Co-Petitioner _____ is awarded **sole** custody of the following children (*names*): _____

**Parenting time:
is awarded**

as described in the attached **Parenting Plan**, labeled Exhibit _____ **or**

to Co-Petitioner _____ as follows _____

Parenting time will be supervised by _____

Any cost of supervision must be paid by Co-Petitioner _____

Co-Petitioner _____ is not awarded parenting time because it would endanger the health and safety of the children.

Relocation

Neither parent may move more than 60 miles further distant from the other parent without giving the other parent reasonable notice of the change of residence and providing a copy of such notice to the court, **or**

The requirement of ORS 107.159 regarding notice of relocation is suspended for good cause.

Contact Information

- Both Co-Petitioners must each provide contact addresses and contact telephone numbers to the other and notify each other of any emergencies or substantial changes in the children’s health.
- Good cause exists to suspend the obligation of the parties to provide contact information to each other.

Parental Authority

- The non-custodial parent’s authority under ORS 107.154 is suspended for good cause.

2. Child and Medical Support and Life Insurance for Children

A. Child Support

Existing Child Support Obligation

list court/agency, case number, and date of prior child support orders and judgments: _____

- No action is taken by this judgment regarding any prior child support order or judgment.
- This judgment **does not** replace any existing child support order or judgment. Payment amount and schedule remain as ordered on *(date of order or judgment)*: _____
 - any arrears accumulated under the continued order or judgment remain due.
- This judgment **replaces** the existing child support obligation because the existing orders and judgments were issued by an Oregon court or agency, one of the parents or children receiving support still resides in Oregon, and circumstances have changed since the most recent order was entered. Support is due as detailed in the “Support Order” section below.
 - any arrears accumulated under the continued order or judgment remain due.
- Other:

Presumed Inability To Pay Under ORS 25.245

- The parent who would pay support is presumed to be unable to pay because that parent:
 - receives cash payments from a **public assistance** program including TANF or SSI
 - is (or is expected to be) **incarcerated** (in jail or prison for at least 6 months)
- The presumption **has not been rebutted** and **no** child support (including cash medical support) is ordered.
- The presumption **has been rebutted**, and support **is ordered** as detailed in the “Support Order” section below for the following reasons: _____

Support Order

No support is ordered for reasons other than the presumption of inability to pay or continuation of an existing order or judgment
(explain): _____

Or

Support must be paid:

By Co-Petitioner _____

To Co-Petitioner _____

Adult Child Attending School (name): _____

On the first or _____ day of each month

Starting the month following entry of this judgment or

Other date _____

The total monthly amount due is: \$ _____ (Child Support Worksheets are attached and incorporated, labeled Exhibit _____)

This amount is:

the amount presumed to be appropriate under the support guidelines

different from the presumed appropriate amount of \$ _____ because the presumed amount is unjust or inappropriate (explain): _____

B. Medical Support

Medical support has already been ordered in another case as listed in Section 2A above or from _____ county. The court case # is _____ and the Child Support Program (CSP) # is _____

The existing order is not changed.

The existing order is terminated. Medical support is ordered as follows:

i. Private Health Insurance:

is appropriate and available to (check one or both)

Co-Petitioner _____ **and**

both parents have agreed to provide coverage **or**

Co-Petitioner _____ is ordered to keep insurance throughout the period of the child support obligation.

is not appropriate or available to either parent.

The parent awarded custody must enroll the children in public health insurance until private health insurance becomes available **and** the first parent with access to appropriate private health insurance for the children is ordered to provide it.

ii. Cash Medical Support

Cash Medical Support is ordered in the amount of \$ _____ per month because no private health insurance is available to either parent. Cash Medical Support is payable by the parent ordered to pay child support on the same schedule.

The paying parent is ordered to provide Cash Medical Support only when

- not providing private health insurance for the children.
- Cash Medical Support is **not** ordered because:
 - Support is presumed to be unavailable for the reason marked above and the presumption has not been sufficiently rebutted.
 - The parent paying child support has income at or below Oregon's minimum wage for full-time employment, so cash medical support should not be ordered.
 - The children's medical needs will be met by the *Uninsured Medical Expenses* provision below.
 - Other (*explain*): _____

CHANGES TO HEALTH INSURANCE AVAILABILITY

Both the payor and the recipient of child support **must** notify the Division of Child Support (DCS) in writing of any change in the availability of private health insurance within **10 days** of the change if collection services are provided by DCS.

iii. Uninsured Medical Expenses

- Uninsured medical expenses are not awarded.

Or

Co-Petitioner _____ must pay _____% and Co-Petitioner _____ must pay _____% of the unreimbursed costs of the children's reasonable medical, dental, and vision care. This does not include ordinary nonprescription expenses like bandages, vitamins, and copays for regular checkups, which the parents must provide for the children in proportion to their parenting time. This obligation is in addition to any child support **and** will be **offset** by any cash medical support ordered above.

or

- This obligation is **in addition** to any child support and cash medical support ordered above

C. Payment

NOTICE OF INCOME WITHHOLDING

This child support order is enforceable by income withholding under ORS 25.378 to 25.390, 25.414 to 25.372, and 25.375. Withholding shall occur immediately whenever there is an arrearage at least equal to the support payment for one month, whenever the obligated parent requests such withholding, or whenever the obligee requests withholding for good cause. The District Attorney or, as appropriate, the Division of Child Support of the Department of Justice, will assist in securing such withholding. Exceptions may apply in some circumstances.

- Income withholding** is not ordered at this time because there is no support arrearage, the paying parent has not previously been granted an exemption from withholding **and**
 - The parents (or the State, if support rights are assigned) have agreed in writing to an alternative arrangement which is approved by the court; **or**
 - Good cause not to require withholding is found because there is proof of timely payment of previously ordered support and income withholding would not be in the best interests of the child.

In all cases, select one of the following:

All support payments must be made to the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309.

Or

An exception to income withholding applies as noted above. All support payments must be deposited to the recipient's checking or savings account. The receiving parent is ordered to provide the paying parent with current deposit slips or bank name, account name, and account number.

Or

Other (explain) _____

Adult Child Attending School

Support for an adult child attending school as defined by ORS 107.108 must be paid by the Division of Child Support directly to the child unless good cause exists for payment to be made another way

GOOD CAUSE exists not to pay support directly to a child attending school. Payments must be made to Co-Petitioner _____ in the amount of \$ _____ per month.

D. Length of Child Support

Support should end when the last child becomes self-supporting, emancipated, or married **or** (check one):

- reaches age 18, or if the child qualifies as a child attending school under ORS 107.108, age 21.
- reaches age 18.

E. Tax Dependents

Parties are advised that this judgment is not binding on the IRS and will not provide a defense if the parties fail to comply with IRS regulations in any given tax year

As between the parties, Co-Petitioner _____ may claim the following children as dependents for tax purposes beginning with the **tax** year this judgment is entered. The other parent must complete any IRS waivers or forms necessary to accomplish this judgment in each tax year and must not file contradictory tax returns. *List names:* _____

or

Other (specify): _____

F. Life Insurance Coverage for Children

The party paying support must carry life insurance for the benefit of the parties' children throughout the period of the support obligation if he or she is insurable. The coverage must be at least \$ _____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

or

Neither party is ordered to carry life insurance for the benefit of the parties' children

G. Additional Provisions _____

Additional page attached titled "Section 2G"

NOTICE ABOUT PERIODIC REVIEWS

If you are receiving child support services through the Department of Justice, either parent may request that the Department of Justice/Division of Child Support review the amount of support ordered **after 3 years** from the date the order took effect or at any time upon a **substantial change of circumstances**.

SPOUSAL/PARTNER SUPPORT

3. Spousal or Partner Support and Life Insurance

A. Support

No spousal/partner support or life insurance for the benefit of either party is ordered in this case **or**

Spousal support must be paid by Co-Petitioner _____ to Co-Petitioner _____.

Type of support and amount ordered (<i>check all that apply</i>):	Monthly Or Total	Based on the following factors (<i>explain</i>):
<input type="checkbox"/> transitional \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> compensatory \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	
<input type="checkbox"/> maintenance \$ _____ Ends:	<input type="checkbox"/> /mo <input type="checkbox"/> total	

B. Payments

Payments must be made:

on the first *or* _____ day of each month **beginning** the month following entry of this judgment *or* _____ date.

Or

in a lump sum in the amount of \$ _____ by _____ (*date*)

Payments will end upon the death of either party *or*: _____
_____, whichever is sooner.

All payments of spousal/partner support must be made:

To the Department of Justice, Child Support Accounting Unit, P.O. Box 14506,

Salem, Oregon, 97309. Co-Petitioner requests that collection, accounting, disbursement, and enforcement services be provided through the Department of Justice.

or

Directly into _____'s bank account. The paying spouse/partner should keep a receipt of deposit as proof of payment. The person receiving support must provide the person paying support with current deposit slips or bank name, account name, and account number.

C. Withholding

If enforcement services are provided through the State of Oregon's Department of Justice, the support order is enforceable by income withholding under ORS 25.311.

D. Life Insurance

The party paying support must carry life insurance for the benefit of the other party throughout the period of the support obligation if he or she is insurable. The coverage must be at least \$_____. The party paying support must provide to the party receiving support a true copy of the policy. The party paying support must also provide to the party receiving support written notice of any action that will reduce the benefits or change the designation of the beneficiaries under the policy.

or

Neither party is ordered to carry life insurance for the benefit of the other party.

PROPERTY AND DEBTS

4. Real Property

- Neither party has any interest in any real property in Oregon or any other place.
 Both parties have *or* Co-Petitioner _____ has an interest in real property at: (*address*): _____
 This property is awarded as follows: _____

Additional page titled "Section 4 – Real Property" attached

The legal description of the property is attached as Exhibit _____ and incorporated into this Judgment.

Co-Petitioner _____ is responsible for preparing, signing, and recording a deed transferring the real property as required by this judgment.

5. Personal Property

The Co-Petitioners have divided between them all personal property that they own separately or together, and each is awarded those items now in their possession

except that:

A. Co-Petitioner _____ is awarded the following personal property: _____

Additional page attached labeled "Section 5A- Co-Petitioner _____' Personal Property"

B. Co-Petitioner _____ is awarded the following personal property: _____

Additional page attached labeled "Section 5B- Co-Petitioner _____' Personal Property"

Each Co-Petitioner is awarded all retirement benefits, pension plans, profit-sharing plans, deferred compensation plans, and stock options held by his or her current and past

employers, free of any interest by the other party.

6. Distribution of Debts The debts will be paid as follows:

Name of creditor (who money is owed to)	What the debt is for	Amount	Who pays (Name of Co-Petitioner)

Additional page attached titled "Section 6-Distribution of Debts"

Unless otherwise specified above, each party is responsible for the payment of all debts incurred by him or her individually since the date of separation, all debts distributed to him or her by the court, and all debts which are secured by property distributed to that party. If any creditor asks the party not responsible for a debt to pay any portion of it, and he or she does so, the party responsible for that debt must reimburse the paying party for any amount paid to the creditor after the date this judgment is entered.

Debts are divided between the parties as of (date): _____

Transfer of Property and Debts

Within thirty (30) days of the date of this judgment, each party must execute, acknowledge, and deliver whatever documents are necessary to accomplish the distribution of debts and property ordered by the court. This judgment operates to convey title to the party awarded the property if the other party fails to comply with this requirement.

7. Former Name

Co-Petitioner's _____ former name of _____ is restored. (Use FULL name(first, middle, last), and print clearly.)

8. Additional Provisions

Additional page attached titled "Section 8 - Additional Provisions"

9. Court Costs and Fees, Whether Paid Or Deferred

Each party is responsible for paying his or her own court costs and service fees

Co-Petitioner _____ will reimburse the other party \$ _____ for costs

and fees

Judgment is awarded to the State of Oregon for deferred costs or fees of \$ _____

Other: _____

10. Information Required by ORS 25.020 and 107.085

As required by UTCR 2.130, a Confidential Information Form has been completed for each

party and filed with the court. The CIF contains all information required by ORS 25.020 and 107.085 that is identified as confidential by UTCR 2.130.

Both parties must inform the Court and the Department of Justice (P.O. Box 14506, Salem, Oregon 97309) in writing of any change in the information within ten (10) days of such change. The Department of Justice or the District Attorney may not disclose the information in the CIF to the other party.

MONEY AWARD Support Obligation included not included

	Co-Petitioner	Co-Petitioner
Full Name		
Contact Address		
Year of Birth		
Social Security # (last 4 digits)		
Driver License # (last 4 digits) and State		
Lawyer Name, Address, Phone #		

NOTE: a party RECEIVING a money award is the JUDGMENT CREDITOR; a party PAYING a money award is the JUDGMENT DEBTOR

➤ *If an adult child is awarded support to be paid directly to the child **AND** there is no support awarded for minor children of the parties, or if the judge tells you that the adult child is a Judgment Creditor, fill out this box:*

<input type="checkbox"/> The adult child named (<i>full name and contact address</i>) _____ _____ is a judgment creditor on this judgment Adult child's lawyer's name, address, phone #: _____ _____ _____

The following information must be provided by any party entitled to receive a money award as listed in this Judgment

	The following person or public body is known to be entitled to a portion of a payment made on the judgment (other than payee's lawyer):
Co-Petitioner	<input type="checkbox"/> None or <input type="checkbox"/> Name: _____ _____ _____

Co-Petitioner	<input type="checkbox"/> None <i>or</i> <input type="checkbox"/> Name: _____ _____
Adult Child Name: _____	<input type="checkbox"/> None <i>or</i> <input type="checkbox"/> Name: _____ _____

Type of Judgment		Amount	Beginning / Ending
<input type="checkbox"/> Child Support	WHO PAYS (write name) _____	\$ _____ per month for cash medical support and \$ _____ per month for child support	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> Other _____ (date) and due on the same day of each month thereafter
	WHO RECEIVES (write name) _____		Ending when the last child turns <input type="checkbox"/> 18 <i>or</i> <input type="checkbox"/> 21 (if the child remains a Child Attending School).
<input type="checkbox"/> Spousal/ Partner Support	WHO RECEIVES (write name) _____	\$ _____ per month	Beginning: <input type="checkbox"/> the first <i>or</i> <input type="checkbox"/> _____ day of the month following entry of this judgment <i>or</i> <input type="checkbox"/> Other _____ and due on the same day of each month thereafter
			Ending the earlier of: (date) _____ <i>or</i> the death of either party
		or	A lump sum of \$ _____
<input type="checkbox"/> Property Division	WHO RECEIVES (write name) _____	\$ _____ per month until a total of \$ _____ is paid	Beginning the (day) _____ of the month following entry of judgment
			or

<input type="checkbox"/> Prejudgment Interest	WHO RECEIVES (write name) _____	\$ _____	
<input type="checkbox"/> Post-judgment Interest	WHO RECEIVES (write name) _____	9% per year simple interest on the unpaid balance of the total judgment amount of \$ _____	Interest accrues from the date the judgment is entered and continues until the judgment is fully paid
<input type="checkbox"/> Court Costs and Service Fees already paid	WHO PAYS (write name) _____	Named party reimburses the other party's costs and fees of: \$ _____ Directly to the awarded party	
<input type="checkbox"/> Deferred Court Costs and Service Fees	WHO PAYS (write name) _____	Named party must pay deferred costs and fees of: \$ _____ To the State of Oregon through this court.	

Judge Signature:

Certificate of Readiness

This proposed judgment is ready for judicial signature because, each party affected by this judgment has **stipulated** to or approved the judgment, as shown by the signatures on the judgment.

We understand that we are subject to penalty for perjury for giving false information to the court. All factual information in this Judgment is true to the best of our knowledge and belief. We agree to the terms of this Judgment. We understand that this Judgment is enforceable by the court.

Both parties hereby agree (stipulate) to the terms of this judgment.

Co-Petitioner, Signature

Date

Co-Petitioner, Name (printed)

Co-Petitioner, Signature

Date

Co-Petitioner, Name (printed)

Child 18, 19, or 20 years of age, stipulates to the terms of this judgment

Child, Signature

Date

Child, Name (printed)

Optional: APPLICATION FOR FULL CHILD SUPPORT PROGRAM SERVICES

By signing below, I apply for child support services, including enforcement, from the Child Support Program (CSP).

Check here: if you are requesting only accounting and disbursement services and not enforcement services.

Note: If you never received TANF, tribal TANF or AFDC in any state, an annual \$25 fee will apply if over \$500 is collected and distributed to the family each year.)

 Co-Petitioner, Signature

Date

 Co-Petitioner, Signature

Date

 Adult Child, Signature

Date

FILING FOR CO-PETITION DISSOLUTION (DIVORCE)
WITH CHILDREN
MULTNOMAH COUNTY



What these forms do

This set of forms will help you to get a divorce (legally called a “dissolution of marriage”) if you have children under 21 years old.

TALK TO A LAWYER BEFORE USING THESE FORMS IF:

- You are part of a **same-sex couple** AND:
 - You are married, have a civil union, or registered in another state
 - You are married, have a civil union, or registered in another state in addition to Oregon
 - You registered as domestic partners in Oregon before February 4, 2008
 - You are unsure if your partnership is a Registered Domestic Partnership (RDP)
 - If either of you is not the biological or adoptive parent of one of your children, see a lawyer before using these forms, even if both of your names are on the birth certificate. You may need to complete an additional step to get a “Declaration of Parentage” for full legal recognition of your parenting rights. Click [here!](#) for more information.
 - If you want partner support and either party lives in (or may move to) another state
- You want to *divide* the **retirement benefits** of either party
- Either party is a debtor in a current **bankruptcy** case

Both parties MUST agree to use Co-Petitioner forms.

If both parties do not both agree, you cannot use these forms.

Important Contact Information

Oregon Judicial Department - <http://courts.oregon.gov>







Oregon State Bar Lawyer Referral Service - www.oregonstatebar.org

Phone: 503.684.3763 or toll-free in Oregon at 800.452.7636



If you are deployed or about to be deployed, contact the Oregon State Bar Military Assistance Panel (www.osbar.org/docs/ris/militaryflier.pdf) for information about special rights and rules that may apply to you.

Symbols used in this form:

	Important Note
	STOP! You may not be able to use this form
	Caution! You may need a lawyer
	Concerns children
	Concerns money
	Timing requirement



Notice about these instructions and forms

These instructions are not a complete statement of the law. They cover basic procedures for simple dissolution cases involving custody, parenting time, and child support. If you have complicated issues or questions about the law, talk to a lawyer.

All of the necessary forms should be online. If you cannot find a form, ask your local court.



Information about Dissolution

❖ **Petition and Judgment** - A dissolution case starts with a “petition,” which tells the court what you want. That’s why you are called the “**co-petitioners**,” since you are asking for this dissolution together.

- The case ends with a “judgment,” which is the court’s final decision. **The judgment is the document that finalizes your case and contains your rights and responsibilities.** Your dissolution is effective once the judge signs the judgment. (*See “The Judgment” section for more details about the terms of your judgment.*)
- **NOTE:** the general judgment in this case will create rights and responsibilities that may be permanent. Custody, parenting time, and support orders often can be modified later, but property orders usually cannot. Talk to a lawyer if you have questions about these issues.



❖ **Contact Information** - Keep the court and all other parties informed of your current address. **You don’t have to use your home address.** You may use any contact address where you regularly check in, as long as it is in the same state as your home. The court will assume that you receive all notices and documents sent to that address. **It is YOUR responsibility to let the court and other parties know if you move or want to get mail at a different address.**

WHO IS A “CHILD”?



- “Child” means any child who was born, conceived, or adopted during this marriage or Registered Domestic Partnership (RDP). It also includes any children of both Co-Petitioners who were born prior to the marriage or RDP.
- Children who have been emancipated are not “children” for purposes of these forms. A child is considered emancipated (independent) if the child:
 - Has been declared emancipated by a court order, or

- Is married.
- **Adult Children:** If you have any children together who are **18, 19, or 20 years old**, each child is a “necessary party” to this case until his or her 21st birthday. Each child *must* be included in your filings and properly served with all documents. A child may waive the right to be part of the case, but this must be done formally after you file.
- **Child Attending School, [ORS 107.108](#):** If you have an adult child (*see above*), child support may be ordered for that child **as long as** the child is attending school. See [Appendix C](#) for more information.
 - If you have children **under 18 AND** at least one child 18, 19, or 20, use this form.
 - If you only have children 21 or older, use the *Petition for Dissolution with No Children*



Parenting Education Class

If your dissolution includes custody or parenting time provisions, you must complete the Parent Education class offered through Family Court Services. You may register online <https://multco.us/dcj/fcs/webform/parent-education-registration-form>.

You must attend the class before the Stipulated General Judgment

form can be filed with the court. If you are unable to pay the required fee, the application for fee waiver is available at <https://multco.us/file/29278/download>. If you have further questions contact Family Court Services at 503.988.3189 or visit their website for more information.

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TABLE OF FORMS

1. To Complete a Co-Petition Dissolution case, all of the following must be completed and filed with the court

- Co-Petition for Dissolution of Marriage/Registered Domestic Partnership
- Notice of Statutory Restraining Order Preventing Dissipation of Assets
- Confidential Information Form (CIF) (*one for each party and each adult child*)
- Notice of CIF Filing
- Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership
- Declaration in Support of Judgment
- General Judgment of Dissolution of Marriage/RDP
- Certificate of Attendance re: Parent Education Class (**REQUIRED**, if you have children under 18 and Oregon has jurisdiction to determine custody.)

Additional forms you may need: (More information is in the Instructions below)

- Child Support Worksheets
- Parenting Plan
- Waiver of Further Appearance and Consent to Entry of Judgment (*for adult children*)
- Application & Declaration for the Waiver or Deferral of fees

STEP 1: STARTING YOUR CASE



Keep In Mind:

- Talk to a lawyer if either Co-Petitioner is already in bankruptcy. The court may not be able to proceed with your dissolution until the bankruptcy is resolved.
- **Registered Domestic Partners (RDP)** should see a lawyer if partner support is requested and either party might move out of state. If the new state does not recognize RDPs, you may have trouble collecting partner support.
 - ✓ Note: Only same-sex couples can have Registered Domestic Partnerships
- You may be entitled to part of each other's retirement benefits. See the "Property and Debts" section for important information. You may lose this right if you do not include it in your pleadings.



Legal Questions

➤ Where to File

- Marriage – you must file in a county where either you or your spouse lives at the time you file. One spouse must have lived in Oregon for at least 6 months before the *Petition* is filed.
- RDP – you must file in a county where either you or your partner lives. If neither of you lives in Oregon but your RDP was registered here, you can file in the county where either of you last lived.

➤ Statutory Restraining Order

By filing your *Co-Petition*, you agree to follow the terms of an automatic restraining order. The order is effective once the papers have been filed. If you don't follow the order, you can be held in contempt of court and subject to penalties.

- The statutory restraining order prevents *either party* from:
 - Dissipating (transferring, selling, destroying, removing, disposing of) real or personal property.
 - Making changes to insurance policies without the agreement of the other party.
 - Making extraordinary expenditures (unusual or high-dollar payments or purchases). Expenditures that are necessary for the safety or welfare of the parties, ordinary business activities, or related to this court case are allowed.

➤ Name Change

If you changed your last name when you got married or registered as domestic partners and want to change it back to a former legal name, you can request that on your *Petition and Judgment*. **NOTE:** You *cannot* use this form to change your name to a name you have never used before.

- Do not rely on the dissolution judgment to be effective for all purposes, especially federal records like Social Security, Medicare, and immigration. Talk to a lawyer if you have concerns.



Filling Out The Forms

➤ You are both “Co-Petitioners” on ALL forms throughout this case.

- Use full names (first, middle or middle initial, last) and print names the same way on all forms – *first, middle, last*.



➤ **Do not put Social Security numbers on your *Petition***. Social Security numbers must be given to the court but kept confidential from the public and the other party. Use the “*Confidential Information Form*” (CIF) to protect your identifying information.

- Fill out one CIF for each party, including adult children.

Fill out the following forms:

- *Petition for Dissolution of Marriage/RDP*
- *Record of Dissolution of Marriage, Annulment or Registered Domestic Partnership*
- *Confidential Information Form (CIF)* (two, one for each co-petitioner)
- *Notice of Filing of Confidential Information Form*
- *Certificate of Delivery to the Division of Child Support*
- *Declaration Supporting General Judgment of Dissolution*
- *Stipulated General Judgment of Dissolution of Marriage or Registered Domestic Partnership*

You may need additional paperwork before the court can enter a judgment.

- ◇ *Child Support Worksheets*
- ◇ *Application for Waiver or Deferral of Fees*
- ◇ *Parenting Plan* - See Appendix B



Children

UCCJEA

The Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) is a law that controls which state can decide issues of custody and parenting time. In most cases, if all of the children you are asking the court to address have lived in Oregon for the six months before you filed the *Petition*, Oregon can make a decision. You must provide certain information before an Oregon court can decide custody or parenting time.

Click [here](#) to read the UCCJEA (ORS 109.701-.834)



If you have any other orders or judgments about custody or parenting time from other states, or if any of your children have not lived in Oregon for six months before you file, you should see a lawyer.

Custody and Parenting Time (Visitation)

Read ORS [107.137](#) for issues a court will consider when awarding custody. The most important factor is *always* the best interest and welfare of the *child*.

Custody and Parenting Time

Joint and Sole Custody are legal terms that generally refer to the right to make certain decisions about the child. The parenting plan controls how much time each parent has with the child. See Appendix B for important information about custody and parenting plans. The court can only award joint custody if both parents agree to all of the terms. In most cases, both parents will have equal rights to information about the child regardless of the type of custody ordered. Both parents will have time with the child unless the court orders otherwise.

Parenting Plans

To avoid delay in your case, your *Petition* should include a parenting plan. A parenting plan sets out the schedule and rules for each parent’s time with the child. Your plan must include the minimum amount of parenting time (formerly called “visitation”) you want non-custodial parent to have. You can be as detailed as you like. You can describe the parenting plan in the *Petition* or you can attach a separate page.

At the end of your case, the *Judgment* **must** contain a parenting plan. The parenting plan can be a part of the judgment form, or it can be in an attached document. See Appendix B for more information about parenting plans.



Moving – The *Judgment* will prohibit either parent from moving more than 60 miles farther away from the other parent without giving written notice to the court and the other parent.

You can ask the judge to waive this rule by checking the appropriate box on the *Petition* and explaining why you should not have to give notice of a move.

Safety

If you have safety concerns, you may be able to suspend certain rights that the non-custodial parent automatically has. Check the appropriate box on the *Petition*. These rights include your duty to provide contact information and to tell the other parent if there is a major health concern for the children. [ORS 107.154](#) and [107.164](#) list the rights of a non-custodial parent. You **MUST** have a valid, legal reason for suspending these rights. Talk to a lawyer about these issues.





Support Issues

Child Support

Calculating Child Support

In most cases, the court will order child support if you have a child and no child support order already exists. Go to www.oregonchildsupport.gov/calculator for worksheets and an interactive program to calculate support. Click on this link:

[Go to Guidelines Calculator](#)

Worksheets must be submitted to the court before a judgment can be entered. You can submit them with your *Petition*. You **MUST** also submit them with your *Judgment*.



➤ **NOTE:** If you request a child support amount that is *different* from what the calculator or worksheet says, you *must* explain why and how you reached that amount. If not, your case may be delayed until you explain the difference.

Payment of Child Support

Support is usually withheld from the payor's (the person who has to pay support) paycheck. The court may allow an exception to the income withholding requirement if you qualify under [ORS 25.396](#) and if you request an exception in the *Petition*. If the court grants an exception to income withholding, payment can be made by direct deposit to the receiver's bank account. If you are *paying* child support directly to the other parent, you should keep proof of every payment, including a receipt if you pay cash.

See Appendix C for information about how payments are made to adult children attending school.

Child support is NOT taxable as income or deductible to either party.



Health Insurance

Your judgment *must* address health insurance for any minor child involved in your case. There are two main categories of health insurance: “private,” which is available through an employer or directly from an insurance carrier, and “public,” such as the Oregon Health Plan, which you have to apply to the state for.

Cash Medical Support

In addition to child support, the court may order “Cash Medical Support.” Cash Medical Support is to help pay for health insurance and out-of-pocket medical expenses.-

If neither parent has private health insurance available, the court must order Cash Medical Support unless the judge finds reasons not to. The judge *cannot* order Cash Medical Support in some situations.

* * *

Adult Children (18-21)

If you have **any** child 18, 19, or 20 years old who is not married, that child is a necessary party to this case. He or she *must* be added as a party in the case caption and has the right to participate. Adult children who are attending school at least half-time may seek child support from either or both parents. See Appendix C for more information about a Child Attending School.

An adult child to a co-petition case **may** sign a *Waiver of Further Appearance and Consent to Entry of Judgment* form or sign and agree to the *Stipulated General Judgment of Dissolution of Marriage*.

There is more information on Adult Children in Appendix C.

Spousal/Partner Support

There are three different categories of spousal or partner support in Oregon:

- **Transitional** support is to help you get work-related education and training
- **Compensatory** support may be ordered if you significantly contributed to the education, training, job skills, career, or earning capacity of your spouse or partner
- **Maintenance** may be ordered for your general support

Either party may request and be awarded support. More than one type of support may be awarded. Any award may be ongoing or for a particular period of time (such as 3 years, while in school, up to a certain amount, etc.).

For more information on factors the judge will consider when making the award, see [ORS 107.105](#).

- **NOTE:** Support is also available to **Registered Domestic Partners**. If either partner might leave the state or declare bankruptcy, you should see a lawyer.



Spousal and partner support are taxable income to the recipient. Support is deductible to the person making payments (payor). RDPs should see a tax professional about support.

Life Insurance

The court can order a party to carry life insurance if that party is ordered to pay either child or spousal/partner support. Life insurance in connection with a support obligation is for the benefit of the person receiving support.



Property and Debts

You need to tell the court how you want to divide your property and debts. You should be as specific as possible and include everything you own or owe. If any property or debts are not included in your judgment, you cannot return to court to make changes later except in very limited circumstances.



You may be entitled to part of the other party's retirement benefits (including pensions). If you do not address retirement benefits in your judgment, you will lose the right to claim your share except in very limited circumstances. These forms **will not divide** retirement benefits. Talk to a lawyer first if you want to claim a portion of your spouse's retirement benefits.

For detailed information about property, see Appendix A.



Have your documents reviewed

You may want to have your documents reviewed before you file. For information about how to find a lawyer, call the Oregon State Bar at the numbers on [Page 2](#). If you are low-income, you might be able to get your documents reviewed for a smaller fee through the Oregon State Bar's Modest Means program. Your local Legal Aid office might review documents for free if you qualify.

Please call 503.988.3022 x 2 for more information on how to have your documents reviewed by a facilitator.



Make copies

Make one copy of **all** of the completed forms for your records. See Step 2 for additional copies you will need. If you have your documents reviewed by a facilitator the facilitator will make copies for you.

STEP 2: FILING YOUR CASE



File your forms

File all of the **original** forms with the civil cashier in room 210 of the Downtown courthouse, or at the East County Courthouse. The cashier will give you a **case number** when you file. Put the case number on all copies and originals..



You have to pay the filing fees when you file your papers. Go to <http://courts.oregon.gov> for the filing fee.

- If you are low income, you may ask the court to defer or waive your filing fee. You must complete an ***Application and Declaration for Deferral or Waiver of Fees*** and an ***Order Regarding Deferral or Waiver of Fees*** and file them with your papers. If the fee is deferred, you will have to pay the fee at the end of the case. If the fee is waived, you don't have to pay it now. However, the judge may reconsider waived and deferred fees at the end of the case.

The clerk may give you some papers. A copy of these papers must should be given to each co-petitioner.

Make a copy all forms for your records :

A copy of your petition (and eventually your judgment) will be sent to the Department of Justice Division of Child Support (DCS) for you electronically by court staff.

STEP 3: FINISHING YOUR CASE - THE JUDGMENT



The ***Stipulated General Judgment of Dissolution of Marriage/RDP*** and ***Declaration Supporting General Judgment of Dissolution of Marriage/RDP*** must be filed with the court to finalize your case. The ***Stipulated General Judgment of Dissolution of Marriage/RDP*** must be signed by a judge to finalize your case. You fill out the forms together, if you would like you may also have it reviewed by a court facilitator or lawyer, and then file it with the court to be reviewed and signed by a judge.

NOTE: You **must** include Child Support Worksheets with your Judgment if child support is being decided. (In many cases even if \$0 are being awarded, worksheets are still **required**.) You also **must** include your parenting

plan.

The judgment **finalizes** your dissolution and contains all of the issues.

Your dissolution is finished and effective the date the *Judgment* is signed by the judge. The terms of your judgment are not enforceable until the court enters the judgment. You will receive a *Notice of Entry of Judgment* in the mail after the judgment has been entered. If you want a copy of your judgment, after you receive this letter in the mail you may purchase a copy from the downtown or East County courthouse.

NOTE: Every document you file must have a mailing address where you will receive documents related to this case. You do NOT need to use your home address. You can use any contact address in the same state as your home. You are responsible for checking your contact address. Notify the court and the other party in writing if your contact address changes.

Appendix A - Property and Debts

- **Real Property** – Include property that you own together or separately *and* property owned before the marriage/RDP.
 - Include land, houses, mobile homes, and other structures *attached to or built on land*. Also include partial rights to land like the right to fish, farm, cut timber or mine minerals. This does not mean *personal* property like clothes, jewelry, furniture, cars, etc.
 - Identify the property by address, map, lot, or plat number, or any other method that is specific enough to identify the property.
 - When completing the *Judgment*, use the full legal description of the property that is on the deed or tax records. If you improperly describe the property, you may not be able to enforce your judgment.



- **You should speak with a lawyer if:**
 - any party is a debtor in a current bankruptcy proceeding.
 - there is a joint credit account such as a home equity line of credit on any real property. This judgment is *not* binding on the lender and may not prevent the other party from using the credit line, even after the judgment.
 - Anyone other than the two Co-Petitioners has any interest in the real property either now or in the future. For example:
 - ◇ if your title is only for life or for a fixed period of time
 - ◇ if anyone has a right-of-first-refusal to buy the property
 - ◇ if anyone else’s name is on the title
 - ◇ if anyone else’s name is on a loan that the property is collateral for. These people *must* be joined to the case or the court may not have authority to award that property.
 - you are concerned about the other party selling real property located in Oregon. You can put a hold on the title of the property during the case (called “lis pendens”).



If **ANY** property was used to secure a loan, debt, mortgage, or other encumbrance, it is important that you speak with a lawyer. Future bankruptcy filings by either party may create problems for the other party in spite of this judgment.

➤ **Personal Property** is anything you own together or separately that *is not* real property. This includes property owned before the marriage.

Debts - The court will divide your debts. Use this table to list all debts in either or both of your names. Include debts that existed before your marriage/partnership; debts that you each or both incurred during your marriage/partnership; and debts that you each incurred after separation. If any debt includes amounts incurred both during the marriage/ partnership *and* after separation, write in the “Who pays” column who should pay how much (see example). Talk to a lawyer if you have questions about who should pay which debts.

Example:

Name of Creditor (who money is owed to)	What debt is for	Amount	Who pays
			Write Name
Chase Bank	Credit Card	\$10,000	
Wells Fargo	Home Equity Credit Line (petitioner added \$10,000 after separation)	\$20,000	
Local Lender	Petitioner’s car loan	\$4,500	

Attach the following page to the Petition if your list of debts is longer than the table in the Petition

Appendix B– Custody and Parenting Plans

Joint Custody and Sole Custody

What does “Custody” mean?

Custody does not only refer to where the child lives, it refers to who makes major decisions about the child’s residence, health care, education, religion, and other big issues. Joint custody means that the parents have to agree about major decisions in the child’s life. Sole custody means that one parent can make decisions alone. **Who has Custody does not impact how much time each parent has with the child.**

The court can order joint custody only if both parents agree to all of the terms, including the parenting plan.

Regardless of the custody order, both parents will usually have time with the child (parenting time) and the right to certain information. Both parents have the right to review school records and medical records, and to authorize emergency medical, dental, psychological, or other health care if the other parent is not available, unless the court orders otherwise.

Read ORS [107.137](#) to see what a court will consider when awarding custody. The most important factor is *always* the best interest and welfare of the *child*.

A **parenting plan** is where you provide a plan for ***when each parent will actually be with the child (parenting time)***. Parenting plans can also include specific times for contact. For example, “Mother can call on Fridays between 7pm and 10pm.” Parenting time is separate from custody. For example, you can have joint custody with one parent having the child 75% of the time, and you can have sole custody with 50-50 parenting time.

Child support is separate from custody. Either parent can be ordered to pay child support regardless of who has custody or what kind of custody is ordered.

Sole Custody

If sole custody is ordered, the other parent will usually have some parenting time with the child. The non-custodial parent has equal rights to the child’s school records and medical records, and to authorize emergency medical, dental, psychological, or other health care if the other parent is not available, unless the court orders otherwise.

Joint Custody

Joint custody does not mean that every day-to-day activity has to be agreed to, but major decisions must be discussed and decided by the parties.

A joint custody order can also specify certain decisions that can be made by one parent or the other. For example, Mother may be allowed to make decisions about religious training, or Father can made decisions about medical care.

A joint custody order might specify that one parent’s home is the child’s primary residence, but it’s not required.

Parenting Time & Parenting Plans

Parenting time is what some people call ‘visitation’ – it is the time a child spends with each parent. Parenting time is detailed in a “parenting plan,” which is usually focused on the parent who does not have sole or primary residential custody.

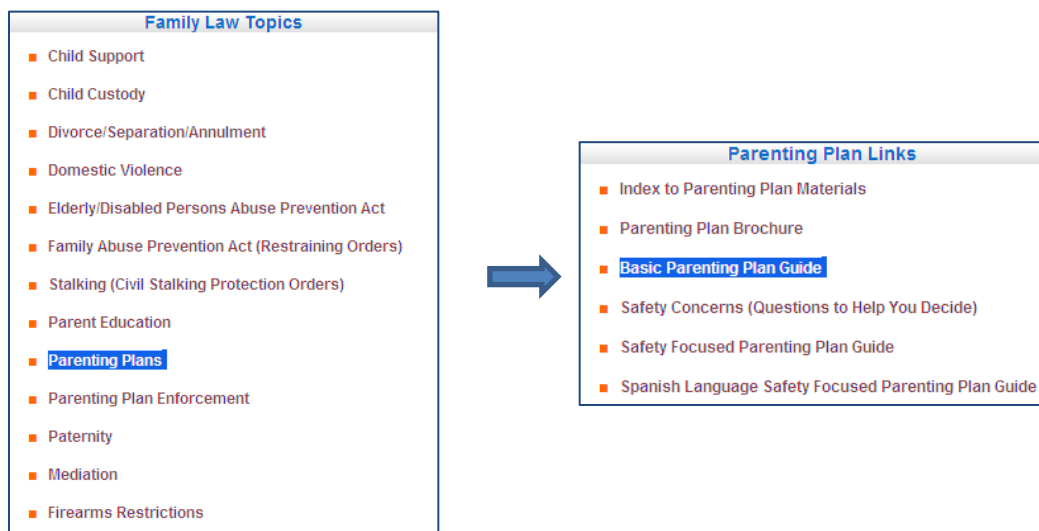
Once the court enters a judgment with parenting time included, that time is enforceable like any other court order. Parents can file for an expedited (faster) hearing if the other is not following the parenting time in the judgment.

A parenting plan is required for all cases involving a minor child. The plan sets out the schedule and rules for each parent’s time with each child. A parenting plan should be written in the space provided in your *Petition* and *Judgment* or attached to it as a separate form.

A parenting plan can be as general or as specific as you need it to be. The judge will expect to see some information about the days and times when children will be picked up and dropped off, and some plan for weekends, holidays, and school breaks. Consider whether you have children with different needs or schedules. Children at different ages may need different parenting plans. If you have a child with a medical issue, you may want to consider how the plan will impact care.

The parenting plan may include safety provisions for the child if problems like domestic violence, drug or alcohol abuse, or child abuse are involved in your case.

Oregon has a **Basic Parenting Plan Guide for Parents**. This guide has information about how to develop a plan, information about alternative schedules, and stages of your children’s growth that should be considered when creating a plan. A sample parenting plan is included in the guide. The guide can be downloaded at www.courts.oregon.gov/familylaw. There is also a *Safety Focused Parenting Plan Guide* on this website. This can help you develop a parenting plan if you have safety concerns for your children. Many local courts also have standard plans in their *Supplemental Local Rules*. Check your local court’s website. You can use these plans whole or as a guide to develop your own.



A mediator can help you create a parenting plan. Your local court may also have a mediation program for parents. A mediator is a neutral person trained to help you come to your own agreement and cannot make decisions for you. Information about mediation and parenting plans may be available through your court’s parent education program, the court facilitator, or your local law library. Some courts require you to try mediation before your hearing. Before you file you may voluntarily mediate. Contact Family Court Services, 503.988.3189 for more information.

Appendix C – Support for a Child Attending School

If an adult child is attending school at least half-time according to the school's standards, that child is considered a "Child Attending School." A Child Attending School may be entitled to child support until he or she turns 21. "Child Attending School" is defined at [ORS 107.108](#) and does not include children who are married.



IMPORTANT! After an order is made for support of a child attending school, the child *must* remain enrolled at least half-time AND make sufficient academic progress according to the school to qualify as a child attending school and continue to receive support.

NOTE: you can ask the court to extend child support for minor children to cover them when they qualify as Children Attending School. If a child does not immediately enter higher education after high school or drops out of high school, child support will end.

If you have an order that says support continues *if* the child becomes a Child Attending School, the child must notify the payor *before* the child turns 18 that he or she will be attending school, which school, and when the child expects to graduate or stop taking classes. Support generally continues during summers if the child has properly notified the other parent that the child intends to return to school.

The child must also provide consent to the school to release certain information to any parent paying child support. The requirements are at [ORS107.108](#).

Paying Support for a Child Attending School

Support for an adult child is normally paid directly to the child, whether by the payor directly or by DCS. If you have good cause why the child should *not* receive payment, you must explain that in your *Petition*.

There is NO parenting plan or parenting time credit for a Child Attending School who has graduated from high school.

For more information, go to: http://oregonchildsupport.gov/services/pages/child_attending_school.aspx